

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

REGALO INTERNATIONAL, LLC

Plaintiff,

v.

MUNCHKIN, INC.

Defendant.

Civil Action No. 1:15-cv -1103-LPS-CJB

DECLARATION OF KEITH JONES

I, Keith Jones, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of eighteen years and am competent to testify as to the matters asserted herein. I make this Declaration based upon personal knowledge. I submit this Declaration opposing *Defendant Munchkin, Inc. 's Motion to Disqualify Plaintiff's Counsel Panitch, Schwarze, Belisario, & Nadel, LLP.*

2. Because of the nature of Munchkin's motion, this Declaration may touch on attorney work product, as well as attorney-client privileged information. I have attempted to provide sufficient details necessary for the Court to properly evaluate the motion, while not disclosing any information protected as attorney work product or privileged attorney-client communications. It is not my intent to, and I do not waive either attorney work product immunity for the information or subjects addressed herein, nor waive attorney-client privilege for the information or subjects addressed herein. I am prepared, however, to provide additional details to the Court if it desires regarding the information and subjects addressed herein, via *in camera* submission or a similar procedure that will ensure the information is protected attorney work product and/or attorney-client privileged.

3. Since March 2011, I have been an attorney at Panitch Schwarze Belisario & Nadel LLP (“Panitch”).

4. I have reviewed the billing records for Munchkin and Regalo matters prepared by Panitch’s accounting department. The records indicate that I have billed 14.1 hours to Munchkin files. These hours were spent on only one matter, an Opposition to Munchkin’s Trademark Application No. 85/688,983 filed by Gerber Childrenswear LLC (“Gerber”), between September 30 and October 26, 2013. The work I performed was limited to 2.5 hours for compiling and producing Munchkin’s documents; .1 hours discussing discovery requests with Ms. Genovese; and 11.5 hours reviewing documents produced by Gerber. I did not speak, directly or indirectly, with any Munchkin employees or counsel other than Ms. Genovese in connection with this or any other matters.

5. I have not worked on any other matters for Munchkin.

6. The Munchkin billing records indicate that neither Frederick Tecce or Dennis Butler ever entered time on Munchkin matters.

7. From the time Ms. Genovese departed the Panitch firm, I have never accessed any Munchkin documents filed in Panitch’s document management system.

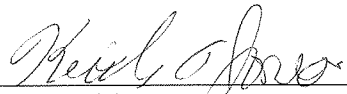
8. The Regalo billing records indicate I have spent over 25 hours on Regalo matters since August 6, 2012.

9. The work I have performed for Regalo has been limited to patent matters.

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Executed in Philadelphia, Pennsylvania on March 18, 2016

By: 
Keith Jones